

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CONNECTU LLC

Plaintiff,

v.

MARK ZUCKERBERG, EDUARDO
SAVERIN, DUSTIN MOSKOVITZ, ANDREW
MCCOLLUM, CHRISTOPHER HUGHES, and
THEFACEBOOK, INC.,

Defendants.

MARK ZUCKERBERG, and
THEFACEBOOK, INC.,
Counterclaimants,

v.

CONNECTU LLC,
Counterdefendant,

and

CAMERON WINKLEVOSS, TYLER
WINKLEVOSS, and DIVYA NARENDRA,
Additional Defendants on Counterclaims.

Civil Action No. 1:04-CV-11923 (DPW)

District Judge Douglas P. Woodlock

**AFFIDAVIT OF MONTE COOPER IN SUPPORT OF THE FACEBOOK
DEFENDANTS' RESPONSE TO CONNECTU'S RENEWED "FORENSIC
RECOVERY" ARGUMENTS FROM THE MARCH 3, 2006 MOTIONS HEARING**

I, MONTE M.F. COOPER, declare as follows:

1. I am an attorney with the law firm of Orrick, Herrington & Sutcliffe LLP, counsel for Defendants Mark Zuckerberg, Dustin Moskovitz, Andrew McCollum, Christopher Hughes, and TheFacebook, Inc. (collectively, the “Facebook Defendants”). I make this Declaration in support of the Facebook Defendants’ Motion to Compel Particularized Identification of Trade Secrets in Response to The Facebook Defendants’ Interrogatory No. 2. I am an active member in good standing of the Bar of the States of California and Colorado, and am admitted to appear *pro hac vice* before this court. I have personal knowledge of the facts stated therein and if called as a witness, could and would competently testify thereto.

2. Attached hereto as **Exhibit A** is a true and correct copy of the Transcript of Motion Hearing held on November 18, 2005.

3. Attached hereto as **Exhibit B** is a true and correct copy of of the Transcript of Motion Hearing held on March 3, 2006.

4. Attached hereto as **Exhibit C** is a true and correct copy of an e-mail from Joshua H. Walker to Troy E. Grabow and John Hornick, dated November 17, 2005.

5. Attached hereto as **Exhibit D** is a true and correct copy of a letter from Robert D. Nagel to John F. Hornick, dated January 7, 2006.

6. Attached hereto as **Exhibit E** is a true and correct copy of a letter from Robert D. Nagel to John F. Hornick, dated February 2, 2006.

7. Attached here to as **Exhibit F** is a true and correct copy of a letter from Robert D. Nagel to John F. Hornick, dated February 15, 2006.

8. Attached hereto as **Exhibit G** is a true and correct copy of a letter from Amy Dalton to John F. Hornick, dated March 6, 2006.

9. Attached hereto as **Exhibit H** is a true and correct copy of a letter from Monte M.F. Cooper to John F. Hornick, dated February 26, 2006.

10. Attached hereto as **Exhibit I** is a true and correct copy of a letter from Monte M.F. Cooper to John F. Hornick, dated March 15, 2006.

11. Attached hereto as **Exhibit J** is a true and correct copy of an e-mail from John Hornick to Monte M.F. Cooper, dated March 24, 2006.

12. Attached hereto as **Exhibit K** is a true and correct copy of an e-mail from Monte M.F. Cooper to John Hornick, dated March 24, 2006.

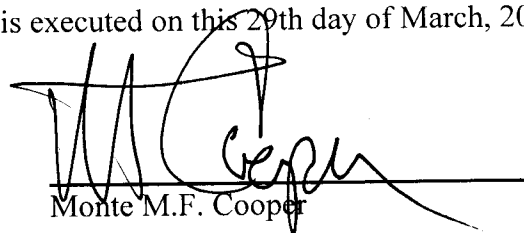
13. Attached hereto as **Exhibit L** are true and correct of Facebook Defendants' Confidential Responses to Plaintiff's and Counterclaim Defendants' Fourth Set of Interrogatories (Nos. 25-26) served on February 6, 2006.

[FILED SEPARATELY UNDER SEAL WITH THE CLERK OF THE COURT].

14. Attached hereto as **Exhibit M** is a true and correct copy of a letter from Monte M.F. Cooper to Scott Mosko, dated March 29, 2006.

15. Attached hereto as **Exhibit N** is a true and correct copy of a letter from Bhanu K. Sadasivan to John Hornick, dated May 31, 2005.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct. This Affidavit is executed on this 29th day of March, 2006, at Menlo Park, California.



Monte M.F. Cooper

State of California

County of San Mateo

Subscribed and sworn to (or affirmed) before me on this 29th day of March, 2006 by MONTE
M.F. COPPER, personally known to me on the basis of satisfactory evidence to be the person(s)
who appeared before me.



Magnolia Sagmit-Mendoza, Notary